

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	RM-10108
)	
Dabtcom Technologies, Inc.)	File No. EB-01-TS-011
)	
Petition for Rulemaking to Establish Disaster Alert By Telephone System)	FRN 0005-7946-15
)	

ORDER

Adopted: June 4, 2002

Released: June 10, 2002

By the Commission:

I. INTRODUCTION

1. In this *Order*, we deny the Petition for Rulemaking filed by Dabtcom Technologies, Inc. (“Dabtcom”) on January 9, 2001, which proposes to amend the Commission’s Rules to incorporate Dabtcom’s Disaster Alert By Telephone (“DABT”) system into the existing Emergency Alert System (“EAS”), which conveys emergency messages over broadcast stations and cable television systems.¹

II. BACKGROUND

2. On January 30, 2001, the Enforcement Bureau sent Dabtcom a letter requesting additional information about its proposal. Dabtcom responded on April 18, 2001. On May 15, 2001, the Commission staff issued a public notice² inviting comments by interested parties. To date, the Commission has received no comments, except for late-filed comments from Dabtcom itself on November 22, 2001, January 29, 2002, and February 5, 2002.

3. The DABT system proposed by Dabtcom would convey emergency messages via the public switched telephone network to wireline telephone subscribers located in areas affected by emergencies. Dabtcom indicates that the DABT system would be used to provide national level emergency messages from the President, as well as messages concerning state and local emergencies, such as tornadoes, hurricanes, floods, hazardous materials spills and bomb threats. According to Dabtcom, the DABT system would be “capable of alerting 40 million businesses and households within 6 to 14 minutes” and would be able to convey emergency messages to wireline telephone subscribers who are beyond reach of the existing EAS (i.e., those who are not listening to a broadcast or cable station at the time of an emergency).

4. Implementation of the DABT system, as described in Dabtcom’s proposal, would require the participation of numerous entities, including all local telephone companies, public safety entities, and various federal, state and local agencies.³ For example, Dabtcom indicates that implementation of its

¹ See 47 C.F.R. §§ 11.1 – 11.62.

² *Public Notice*, Consumer Information Bureau, Reference Information Center, Petition for Rulemaking Filed, Report No. 2483 (rel. May 15, 2001).

³ Dabtcom states that implementation of its proposed system would require the cooperation and participation of federal agencies, such as the Department of Commerce, the Federal Emergency Management Agency, the Department of Defense, the Department of Energy, the Environmental Protection Agency, and the Nuclear Regulatory

proposed system would necessitate installation of specialized equipment in the central offices of all local telephone companies in order to connect their switching systems to the DABT system. In addition, Dabcom proposes that the Commission require all wireline telephone subscribers in the U.S. to pay a monthly fee directly to Dabcom, which would be the sole provider of the service.

III. DISCUSSION

5. We are well aware of the urgent need to enhance our emergency communications infrastructure in the wake of the September 11, 2001, terrorist attacks. Indeed, several groups are considering potential improvements in emergency notification systems. We note, for example, that the Communications for Coordinated Assistance and Response to Emergencies Alliance (“ComCARE”), a national alliance of over 80 organizations and companies, has proposed a comprehensive public and private action plan that would rely on various communications technologies, including wireline and wireless, to improve emergency communications and early warning systems during individual and mass crises. Likewise, the Partnership for Public Warning (“PPW”) envisions adding to Palm Pilots, cell phones, and a myriad of other electronic devices a warning network that would automatically broadcast emergency bulletins. In light of these broad-based efforts to study and resolve the issue of emergency communications by relying on the full range of technologies available today, we conclude that it is not in the public interest to initiate a rulemaking proceeding on the more narrow Dabcom proposal. We expect to initiate a proceeding on the issue of emergency communications systems in the next year.

6. In view of the foregoing, we find that the institution of a rulemaking proceeding is not warranted at this time.

IV. ORDERING CLAUSES

7. **ACCORDINGLY, IT IS ORDERED**, pursuant to Section 1.407 the Commission’s Rules,⁴ that Dabcom’s petition for rulemaking **IS DENIED**.

8. **IT IS FURTHER ORDERED THAT** this *Order* shall be sent, by certified mail, return receipt requested, to Dabcom Technologies, Inc., 6285 Karl Road, Columbus Ohio 43229.

FEDERAL COMMUNICATIONS COMMISSION

Marlene H. Dortch
Secretary

Commission, and state and local agencies.

⁴ 47 C.F.R. § 1.407.